

### **REMARKS**

Claims 24-46 were pending and presented for examination in this application. In an Office Action dated April 8, 2009, claims 24-46 were rejected. Applicants thank the Examiner for examination of the claims pending in this application and address the Examiner's comments below. Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

### **Summary of Interview**

Applicants thank Examiner Refai for his time in conducting a telephone interview on June 3, 2009. During the telephone interview, Applicants' representatives Carlo Ocampo and Jennifer Bush and Examiner Refai discussed the anticipation rejection in view of the cited reference. No agreement was reached. The arguments discussed during the interview are summarized below.

Additionally, during the interview the Examiner raised an issue with respect to claim 24 regarding language directed towards intended use of the system. Although claim 24 has not been objected to, an agreement was made to amend claim 24 such that the system of claim 24 positively recites these limitations.

### **Response to Specification Objection**

The Specification is objected to because the title of the invention is allegedly non-descriptive. Applicants disagree with this objection. However, in the interest of furthering prosecution, Applicants have amended the title to recite "Method and System for Initiating

Devices in Supply Chain Networks.” In view of the amendment to the Specification, Applicants’ submit that the objection to the Specification is now moot.

**Response to Rejection under 35 U.S.C. § 102(e)**

In the Office Action, the Examiner rejects claims 24-46 under 35 U.S.C. § 102(e) as being anticipated by Thomas, U.S. Patent No. 7,366,522. This rejection is traversed.

Amended claim 24<sup>1</sup> recites a system in a supply chain network, the system comprising:

- one or more site data appliances comprising one or more types of data source equipment, the one or more site data appliances using a protocol to collect specification information, including event information, from the one or more types of data source equipment, the specification information forming a Description Document;
- one or more site servers coupled to one or more site data appliances that gather the specification information forming the Description Document from the one or more site data appliances; and
- a data center coupled to the one or more site servers that automatically generates a mapping table based on the Description Document, which maps the event information, of the one or more site data appliances, to event handlers for execution in response to an event.

These aspects of the claimed invention are not disclosed or suggested by Thomas. Specifically, Thomas does not disclose “a data center coupled to the one or more site servers that automatically generates a mapping table based on the Description Document, which maps the event information, of the one or more site data appliances, to event handlers for execution in response to an event.” Thomas discloses a location monitoring system that allows only authorized users to obtain access to locations of objects being monitored via a mobile computing device associated with each object. *See* Thomas, Abstract. When an authorized user wants to locate an object being tracked, the location monitoring server

retrieves location information (e.g., FIG. 5B) associated with the object from a location database. *See* Thomas, col. 7, ll. 12-14. The location monitoring server forms a location page using the retrieved information into a suitable format that can be delivered to the requesting viewer. *See* Thomas, col. 15-18. The Examiner asserts that Thomas' location database could be a corollary to the claimed "data center." *See* Office Action, p. 3.

Applicants disagree with this characterization. First, as stated in the Office Action response filed January 29, 2007, a data center is clearly defined in the specification as "a data **processing** system." *See* ¶ [0025]. Thomas merely discloses that "[a] location database 110 coupled to the location monitoring server 102 can store the location information for the mobile units 104." *See* Thomas, col. 2, ll. 4-6. Thus, the location database is simply a collection of data or information, which cannot be characterized as a structure that **processes** data. While limitations from the specification should not be read into the claims, Applicants are permitted to act as their own lexicographers: "Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim." MPEP 2111.01(IV), citing *Toro Co. v. White Consolidated Industries Inc.*, 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999) (meaning of words used in a claim is not construed in a "lexicographic vacuum, but in the context of the specification and drawings").

Second, even assuming *arguendo* that the location database could be a corollary to the claimed "data center," there is still no hint, mention, or suggestion in Thomas that the location database "automatically generates a mapping table based on the Description Document, which maps the event information, of the one or more site data appliances, to

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<sup>1</sup> Note that claim 24 is amended to address the Examiner's concerns during the Interview regarding intended use language

event handlers for execution in response to an event.” It is understood from the Office Action that the Examiner believes the location page formed from the information stored in the location database is considered the claimed “Description Document.” *See* Office Action, p. 3. Thus, under this interpretation Thomas discloses generating the *location page* (i.e., the alleged Description Document) from *the location table* (i.e., the alleged mapping table) shown in FIG. 5B that is stored in the location database. Thomas essentially performs steps that are reversed from those performed by the claimed “data center.” In the claimed invention the data center “generates a **mapping table** based on **the description document**.”

Third, even assuming *arguendo* that the location page formed from the location table stored in the location database could be a corollary to the claimed “mapping table,” Thomas’ location page does not map “**the event information...to event handlers for execution in response to an event**.” Thomas discloses that the information from the location database is merely formatted into the location page. It is clear from FIG. 5B that the information in the location database merely includes the location of mobile devices. Thus as an example of a location page, using the information from FIG. 5B the location page may include a statement that mobile device 1 is currently located at “XXX” and its previous location was at “YYY.” Clearly, a location page that includes a geographic location is not the equivalent to a mapping table that maps “event information...to **event handlers for execution in response to an event**” of the claimed invention. Put simply, a geographic location cannot be executed.

Furthermore, during the Interview the Examiner suggested that Thomas’ tables (FIGs. 5A and 5B) could be considered the claimed “Description Document” and that Thomas’ location page could be considered the claimed “mapping table.” As noted in the Remarks

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in the claim.

For Pre-Appeal Brief Request dated September 18, 2008, the Description Document is specifically defined in the specification. While the Examiner should apply the broadest *reasonable* interpretation to claim terms, the reasonableness limitation requires that the construction not be so broad so as to conflict with the specification. *See, e.g., In re Buszard* (Fed. Cir. 2007), *discussed at* the Biotechnology/Chemical/Pharmaceutical Customer Partnership, *Broadest Reasonable Interpretation Standard* (J. Gongola, Associ. Solicitor, U.S.P.T.O.), Sept. 9, 2008. In view of the specification, the Examiner's assertion that the tables shown in FIGs. 5A and 5B could be a corollary to the claimed "Description Document" conflicts with the description of the Description Document in the specification. Thus, Thomas cannot generate "a mapping table based on the Description Document" since Thomas' tables cannot be considered the "Description Document."

Even assuming *arguendo* that Thomas' tables could be a corollary to the claimed "Description Document," the location page (i.e., the alleged mapping table) does not map "event information...to **event handlers for execution** in response to an event" for the same reasons discussed above. Namely, a geographic location from the tables cannot be executed.

Thus, claim 24 is patentably distinguishable over Thomas for at least these reasons.

Claims 31, 38-39, and 46 include similar limitations as those of claim 24.

Specifically, claims 31, 38-39, and 46 recite, *inter alia*, generating "a mapping table based on the description document" which maps events to event handlers for execution in response to an event. The Examiner rejected claims 31, 38-39, and 46 for the same reasons set forth in the rejection of claim 24 with respect to Thomas. *See* Office Action, p. 5. Thus, claims 31, 38-39, and 46 are patentably distinguishable over Thomas for similar reasons discussed above with respect to claim 24..

Dependent claims 25-30, 32-37, and 40-45 incorporate the limitations of their respective base claims. Applicants submit that claims 25-30, 32-37, and 40-45 are allowable for at least the reasons described above with respect to the independent claims in addition to the further patentable limitations recited therein.

### **Conclusion**

In sum, Applicants respectfully submit that claims 24-46 as presented herein, are patentably distinguishable over the cited reference and are in condition for allowance. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,

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